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**SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY and THELLA BOWENS**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JOSE HERNANDEZ,

Plaintiff,

v.

SAN DIEGO COUNTY
REGIONAL AIRPORT
AUTHORITY, a public entity;
THELLA BOWENS, an individual;
and DOES 1 through 20, inclusive,

Defendants.

CASE NO. 08 CV 0184 L CAB

**NOTICE OF MOTION AND MOTION
TO DISMISS (RE THELLA BOWENS)**
[Fed. R. Civ. P. 12(b)(6)]

Date: May 19, 2008
Time: 10:30 a.m.
Dept. 14
Judge: Honorable James Lorenz

[Magistrate Judge Cathy Ann Bencivengo]

TO PLAINTIFF JOSE HERNANDEZ AND HIS ATTORNEYS OF
RECORD:

PLEASE TAKE NOTICE that on May 19, 2008, at 10:30 a.m., or as soon
thereafter as the matter may be heard by the above-entitled Court, located at 940
Front Street, San Diego, California, defendant Thella Bowens ("Bowens") will

1 move the Court pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure
2 for a Motion to Dismiss the complaint and all causes of action filed in the above
3 referenced action on the grounds that Plaintiff has failed to state a claim upon
4 which relief may be granted (failure to allege a constitutional violation) and
5 Bowens is entitled to qualified immunity from Plaintiff's 42 U.S.C. section 1983
6 claims.

7 This motion is based on this Notice of Motion and Motion, the
8 Memorandum of Points and Authorities filed herewith, the pleadings and papers
9 filed herein, and upon such other matters as may be presented to the Court at or
10 before the time of the hearing.

11
12 Dated: March 3, 2008

PAUL, PLEVIN, SULLIVAN &
CONNAUGHTON LLP

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14
15 By: 

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SAN DIEGO COUNTY REGIONAL
AIRPORT AUTHORITY and
THELLA BOWENS